IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 2945 OF 2007

Ajay Baburao Karale. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

Rahul Kasliwal for the applicant.

K.V.Saste, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 10th September 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with CR.No.497/2006 registered with Nashikroad Police Station, Nashik for the offences punishable under sections 307, 143, 147, 148, 149 of Indian Penal Code and 135 of the Bombay Police Act.

3. The F.I.R. does not assign any specific role against the present applicant except that he was the auto rickshaw driver and had taken the other accused to the spot of incident. He may have taken part in the commission of offence, but his role appears to be

not serious one so as to deny bail to him.

4. Thus, looking to the entire material available on record, I am inclined to grant bail to the applicant, however, subject to the following conditions:

(a) The applicant, arrested in connection with C.R.No.497/2006 registered with Nashikroad Police Station, Nashik shall be enlarged on bail in the sum of Rs.25,000/- with one or two sureties to make up the said amount.

(b) The applicant shall report to the concerned Police Station twice a week, i.e. on every Monday and Friday between 3.00 to 5.00 p.m. till conclusion of the trial.

(c) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the investigating officer.

(d) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(e) The applicant shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

5. Application stands disposed of accordingly.

. **JUDGE**